



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Seth D. Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

City Administrator Jeffrey D. Rhodes
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

Regular Meeting
City Hall Council Chambers

DATE: July 16, 2019

I. 6:15 P.M. - Convene in Open Session

II. Pledge of Allegiance

III. Roll Call

PRESENT

Mayor Raymond M. Morriss
Councilman Seth Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Police Chief Charles Hinnant; Fire Chief Donald Dunn; Robert Smith, City Engineer

IV. Statement of Closed Meeting

1. Summary Statement of Closed Meeting held July 9, 2019

Mayor Morriss announced that a Closed Session had been held on July 9, 2019 at 5:30 p.m. and read into the record a summary of that session, which is attached hereto and made a part of these minutes as required under Section 3-306 (c)(2) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Recognition of the local 2019 National Marbles Tournament winners Kobi Wright, Jovie Breitfeller, Lindsay Fleming, and Harley Twigg.

Mayor Morriss read the Certificates and recognized each winner, thanking them for representing the citizens of Cumberland. Renee Mawhinney Truly, who took over for her father (the first National Marbles Champion from Cumberland) as coach, advised that the National Marbles Championship will be coming to Cumberland the first weekend of August. She stated there are six new marble rings under construction at Constitution Park, and 40-60 people are expected to attend over the weekend – players, families and spectators.

2. Progress update on the West Side Bridges

Mr. Cohen advised on the progress of the bridges:

- Cumberland Street Bridge – FHA granted approval for preliminary engineering work
- SHA still needs a few more signatures before design work can begin
- NTP within next 3 weeks
- Washington and Fayette Street Bridges – received preliminary design studies
- Negotiating team met today – detailed discussion on terms of studies
- Separate studies for each bridge, and each study has 2 separate design options
- Both studies will be published on the City’s website

Mr. Cohen advised that in answer to recent questions, there is no reason why the Cumberland and Fayette Street Bridges can’t be worked on simultaneously. He added that it’s remotely possible, but highly unlikely that the Washington Street Bridge can be worked on at the same time as well.

Mr. Cohen advised that the design work for the Cumberland Street Bridge will commence shortly, lasting approximately one year, with the contract then being put out to bid. The process for awarding will take about two months, and then construction will begin, lasting approximately one year. He added if the design work starts the end of the year, the bridge could realistically be complete by the end of 2022.

Mr. Cohen advised that the negotiations for the Fayette Street Bridge have centered on CSX paying for the replacement, adding that the Federal funding is not an issue, so there should be no delays. He further stated that if all goes as planned, that bridge could be finished by the end of 2021.

Mr. Cohen advised that on the Washington Street Bridge, the City has feasible options for the rebuild, but there are still things to be resolved, mainly finding Federal funding, adding that the Federal funds available to the City now will be utilized by the Baltimore and Cumberland Street Bridge projects. He further stated that the Federal funding approvals could take from months to years. Mr. Cohen cautioned that there are also historical issues, saying that the MD Historical Trust as well as the HPC would need to give their approval, and without it the Washington Street Bridge may not be able to be rebuilt.

Mr. Cohen stated that another negotiation session with CSX takes place at the end of the week, and said he expects they will become more frequent now that hopefully the City is in the final stretch.

Robert Smith, City Engineer, was asked why planning takes an entire year. He advised about the process involved, from NEPA (National Environmental Protection Act) clearance for using Federal Funds, to multiple stages of design, to the many approvals necessary during that time, which drags the process out.

VI. Proclamations

1. Proclaiming August 6, 2019 as National Night Out in Cumberland

Mayor Morriss read the Proclamation and presented it to Terri Hast, NNO Coordinator, Sarah Bush, Community Development Coordinator for Aetna, and other team members Police Chief Charles Hinnant, Police Captain Chuck Ternent, and Fire Chief Donald Dunn

VII. Director's Reports

(A) Fire

Fire Department monthly reports for May and June, 2019

(B) Police

Police Department monthly report for June, 2019

(C) Administrative Services

Administrative Services monthly report for June, 2019

Motion to approve the reports was made by Councilman Bernard, Seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

VIII. Approval of Minutes

1. Approval of the Closed Session Minutes of May 14, 2019

Motion to approve the minutes was made by Councilman Bernard, seconded by Councilman Cioni, and was passed on a vote of 5-0.

IX. New Business

(A) Ordinances

1. Ordinance 3856 (*1st reading*) – to repeal and reenact Section 13-105 of the City Code pertaining to the parking of trucks, trailers and other similar vehicles and equipment on public streets.

Mr. Rhodes reviewed the proposed Ordinance which will regulate the parking of trucks, trailers, boats, motor homes, etc. on public ways, streets and alleys. Mr. Cohen advised that the City Code as it reads now is deficient in terms of its wording.

FIRST READING: The Ordinance was presented in title only for its first reading. Motion to approve the reading and table until next meeting was made by Councilman Bernard, seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

2. Ordinance 3857 (1st reading) – amending the official Zoning Map in Section 25-1 of the City Code to rezone five properties located at 701-713 Elm Street from R-U (Urban Residential) to B-C (Business Commercial)

Mr. Rhodes reviewed the proposed Ordinance, saying that a public hearing had been held previously on this topic, the Planning Commission had recommended a change, and this Ordinance will enact that recommendation.

FIRST READING: The Ordinance was presented in title only for its first reading. Motion to approve the first reading and table until next meeting was made by Councilman Cioni, seconded by Councilman Frazier, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Rhodes reviewed each item on the Consent Agenda prior to vote and Mayor Morriss called for questions or comments. Motion to approve Consent Agenda Item Nos. 1, and 3-13, (Orders 26,475 and 26,477-26,487) was made by Councilman Cioni, seconded by Councilman Frazier, and was passed on a vote of 5-0. Motion to approve Consent Agenda Item No. 2 (Order 26,476) was made by Councilman Bernard, seconded by Councilman Frazier, and was passed on a vote of 4-0, with Councilwoman Marchini abstaining.

1. **Order 26,475** – authorizing the Mayor and Chief of Police to enter into a Memorandum of Agreement recreating the Allegany County Combined Criminal Investigation (C3I) Unit
2. **Order 26,476** – authorizing payment to CBIZ Insurance Services in the amount of \$32,500 for Risk Management Services for the period July 1, 2019 to June 30, 2020
3. **Order 26,477** – accepting the proposal of PMA Companies to provide Workers Compensation Insurance for the period July 1, 2019 – June 30, 2020 for the estimated amount of \$1,109,845 and authorizing the City Administrator to execute the necessary documents to effect this coverage

Mr. Rhodes explained that this payment pre-funds the City's Workers Compensation Program, the City being self-insured in regards to the program. The dollar amount is based on the estimated claims for the FY. If the City does better it can expect to get a refund.

4. **Order 26,478** – waiving the permit fees for Phase I of the construction of a shell building for the Allegany County Animal Shelter Management Foundation
5. **Order 26,479** - authorizing a tax abatement for the 2019 and prior tax years for 884 Sperry Terrace, 307 Broadway, 17 Paw Paw Alley, 215 Knox Street, 411.S. Central Ave., 1016 Ella Avenue, and 624 Maryland Ave.

6. **Order 26,480** – approving an amendment to the Community Development Block Grant Program funding effective July 16, 2019

Mr. Rhodes advised that this amendment involves a \$63K modification due to decreasing a project for an HVAC unit at the Salvation Army that didn't move forward, and adding the \$63K to sidewalk improvements at Jane Frazier Village, Phase III.

7. **Order 26,481** – authorizing a Residential Exemption from the Special Taxing District Levy for 45 N. Centre St., 50-52 N. Centre St., and 43-45 N. Liberty St.
8. **Order 26,482** – Authorizing execution of a Cost-Share Agreement with MDE relative to the 78” Parallel Pipeline from Mill Race to CSO Storage Project, providing that MDE will pay up to 87.5% of the total project cost in Bay Restoration Funds, not to exceed \$20,097.656
9. **Order 26,483** – Authorizing execution of a Cost-Share Agreement with MDE relative to the Decatur Street 24” Crosstown Water Main Replacement Project, providing that MDE will pay up to 25% of the total project cost in Water Supply Grant Funds, not to exceed \$703,000
10. **Order 26,484** – accepting the sole source proposal from Carl Belt, Inc. to make emergency temporary repairs to the Baltimore Street Bridge in the lump sum amount not to exceed \$82,000

Mr. Rhodes advised this project was recommended to be a sole source because the City wanted to coordinate it with the reconstruction of the WMSR crossing on Baltimore Street. This will provide temporary repairs to keep the bridge fully functional in both lanes until it can be replaced. He added that Carl Belt, Inc. has the ability to provide the material in the time frame necessary.

11. **Order 26,485** – accepting the bid from C&T Mechanical for the Smouse’s Mill Pumping Station Upgrades (29-18-W) in the estimated unit cost of \$220,000 and rejecting all other bids
12. **Order 26,486** – accepting the bid of Bennett, Brewer and Associates, LLC to provide engineering services for the Decatur Street 24” Crosstown Water Main Project (31-17-W) in the total lump sum amount of \$54,779 and rejecting all other bids
13. **Order 26,487** – approving the appointment of Chris Myers to the Historic Preservation Commission to fill the unexpired term of Ruth Davis-Berlage to be effective July 16, 2019 through December 31, 2022

X. Public Comments

None

All public comments are limited to 5 minutes per person.

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:00 p.m.

Minutes approved on September 17, 2019

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk